

RESOLUTION 2018-05
COMMUNITY ADVISORY GROUP
VASQUEZ BOULEVARD/I-70 SUPERFUND SITE

Whereas the CAG on Nov. 27, 2018, issued Resolution 2018-04 opposing delisting of Operable Unit 1 and detailing numerous objections to EPA's moving this delisting process moving forward; and

Whereas the CAG was recently made aware that on Oct. 12, 2018, the State of Colorado -- through the Colorado Department of Public Health & Environment (CDPHE) -- issued the State's concurrence with the partial deletion based upon review of the Notice for Partial Deletion for Operable Unit 1; and

Whereas the CAG objected to EPA moving forward with its Application for Partial Deletion, requested drafts of such Notice of Intend to Delist (NOID) and all relevant documents supporting such application, and has also objected to Notice being issued immediately prior to December 2018 holidays; and

Whereas EPA representatives have responded to CAG's concerns simply by saying an application to place Operable Unit 1 back on the NPL list can be undertaken in the future if delisting is in error; and

Whereas the State's concurrence is based solely on its conclusion that the remedy has been successfully implemented and appropriate institutional controls are in-place, ignoring all evidence regarding sufficiency of the remedial investigation, the ROD and response actions;

NOW THEREFORE, BE IT RESOLVED, THAT

The CAG requests that CDPHE rescind its concurrence in light of the fact that the CAG has presented grounds leading to reasonable doubt that the investigations underlying the ROD and response actions were sufficient to protect public health and the environment; and

The CAG, in light of evidence that has been provided through CAG meetings to local, state and federal officials demonstrating flaws in the investigative process leading to the ROD and recommended response actions, advises that EPA Region 8 postpone its decision to move forward with delisting.

This Resolution is presented for vote at the public meeting of the CAG on December 18, 2018. It is approved/disapproved by a vote of ____ to ____.